

In the Matter Of:

IN RE LTL Management LLC

ADAM PULASKI

April 15, 2023



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<p>1 UNITED STATES BANKRUPTCY COURT</p> <p>2 DISTRICT OF NEW JERSEY</p> <p>3</p> <p>4 In Re: Chapter 11</p> <p>5 LTL MANAGEMENT, LLC, Case No. 23-12825 (MBK)</p> <p>6 Debtor.</p> <p>7 _____/</p> <p>8 ORAL VIDEOTAPED DEPOSITION</p> <p>9 ADAM PULASKI</p> <p>10 APRIL 15, 2023</p> <p>11 "CONFIDENTIAL"</p> <p>12 - - -</p> <p>13</p> <p>14 Oral sworn videotaped deposition of</p> <p>15 ADAM PULASKI, taken remotely, before Patricia R.</p> <p>16 Frank, Registered Merit Reporter, Certified</p> <p>17 Realtime Reporter, and Notary Public, commencing</p> <p>18 at 9:40 a.m. EDT, on the above date.</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25 Lexitas Job No. 892935</p>	<p>1 (Appearances cont'd.)</p> <p>2 ATTORNEYS FOR THE DEBTOR:</p> <p>3 JONES DAY</p> <p>4 BY: JAMES M. JONES, ESQUIRE</p> <p>5 250 Vesey Street</p> <p>6 New York, NY 10281</p> <p>7 212.326.7838</p> <p>8 jmjones@jonesday.com</p> <p>9</p> <p>10 ATTORNEYS FOR JOHNSON & JOHNSON:</p> <p>11 WHITE & CASE LLP</p> <p>12 BY: MATTHEW E. LINDER, ESQUIRE</p> <p>13 111 South Wacker Drive</p> <p>14 Suite 5100</p> <p>15 Chicago IL 60606-4302</p> <p>16 312.881.5421</p> <p>17 mlinder@whitecase.com</p> <p>18</p> <p>19 ATTORNEYS FOR ARNOLD & ITKIN:</p> <p>20 PACHULSKI, STANG, ZIEHL & JONES LLP</p> <p>21 BY: PETER J. KEANE, ESQUIRE</p> <p>22 LAURA DAVIS JONES, ESQUIRE</p> <p>23 919 North Market Street, 17th Floor</p> <p>24 Wilmington, DE 19801</p> <p>25 302.652.4100</p> <p>pkeane@pszjlaw.com</p> <p>ljones@pszjlaw.com</p> <p>ATTORNEYS FOR THE TCC:</p> <p>GOLOMB SPIRT GRUNFELD PC</p> <p>BY: RICHARD GOLOMB, ESQUIRE</p> <p>1835 Market Street, Suite 2900</p> <p>Philadelphia, PA 19103</p> <p>215.985.9177</p> <p>rgolomb@golomblegal.com</p> <p>(Appearances cont'd. on next page)</p>
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<p>1 A P P E A R A N C E S:</p> <p>2 (All parties appearing remotely)</p> <p>3</p> <p>4 PROPOSED COUNSEL FOR THE OFFICIAL COMMITTEE</p> <p>5 OF TALC CLAIMANTS:</p> <p>6 OTTERBOURG P.C.</p> <p>7 BY: RICHARD G. HADDAD, ESQUIRE</p> <p>8 MELANIE L. CYGANOWSKI, ESQUIRE</p> <p>9 DAVID A. CASTLEMAN, ESQUIRE</p> <p>10 230 Park Avenue</p> <p>11 New York, NY 10169-0075</p> <p>12 212.661.9100</p> <p>13 rhaddad@otterbourg.com</p> <p>14 mcyganowski@otterbourg.com</p> <p>15 dcastleman@otterbourg.com</p> <p>16</p> <p>17 BROWN RUDNICK LLP</p> <p>18 BY: MICHAEL S. WINOGRAD, ESQUIRE</p> <p>19 GERARD T. CICERO, ESQUIRE</p> <p>20 7 Times Square</p> <p>21 New York, NY 10036</p> <p>22 212.209.4800</p> <p>23 mwinograd@brownrudnick.com</p> <p>24 gcicero@brownrudnick.com</p> <p>25</p> <p>26 ATTORNEYS FOR THE WITNESS:</p> <p>27 DALY & BLACK, P.C.</p> <p>28 BY: JOHN BLACK, ESQUIRE</p> <p>29 2211 Norfolk Street, Suite 800</p> <p>30 Houston, TX 77098</p> <p>31 713.655.1405</p> <p>32 jblack@dalyblack.com</p> <p>33</p> <p>34 ATTORNEYS FOR THE DEBTOR:</p> <p>35 JONES DAY</p> <p>36 BY: DAVID S. TORBORG, ESQUIRE</p> <p>37 51 Louisiana Avenue, N.W.</p> <p>38 Washington, D.C. 20001-2113</p> <p>39 202.879.3939</p> <p>40 dtorborg@jonesday.com</p> <p>41 (Appearances cont'd. on next page)</p>	<p>1 (Appearances cont'd.)</p> <p>2</p> <p>3 ATTORNEYS FOR TCC 1:</p> <p>4 MOTLEY RICE LLC</p> <p>5 BY: DANIEL LAPINSKI, ESQUIRE</p> <p>6 210 Lake Drive East</p> <p>7 Suite 101</p> <p>8 Cherry Hill, NJ 08002</p> <p>9 856.382.4670</p> <p>10 dlapinski@motleyrice.com</p> <p>11</p> <p>12 MOTLEY RICE LLC</p> <p>13 JAMES A. BADEN, IV, ESQUIRE</p> <p>14 23 Bridgeside Boulevard</p> <p>15 Mount Pleasant, SC 29464</p> <p>16 843.216.9000</p> <p>17 jbaden@motleyrice.com</p> <p>18</p> <p>19 ATTORNEYS FOR VARIOUS TALC CLAIMANTS:</p> <p>20 LEVY KONIGSBERG LLP</p> <p>21 BY: JEROME H. BLOCK, ESQUIRE</p> <p>22 605 Third Avenue, 33rd Floor</p> <p>23 New York, NY 10158</p> <p>24 800.315.3806</p> <p>25 jblock@levylaw.com</p> <p>26 LAW OFFICES OF MITCHELL J. MALZBERG, LLC</p> <p>27 BY: MITCHELL J. MALZBERG, ESQUIRE</p> <p>28 6 E. Main Street, Suite 7</p> <p>29 Clinton, NJ 08809</p> <p>30 908.323.2958</p> <p>31 mmalzberg@mjmalzbergllaw.com</p> <p>32</p> <p>33 WATTS GUERRA LLC</p> <p>34 BY: MIKAL WATTS, ESQUIRE</p> <p>35 15 Calle 2, Suite 410</p> <p>36 Guaynabo, PR 00966</p> <p>37 mcwatts@wattsguerra.com</p> <p>38</p> <p>39 (Appearances cont'd. on next page)</p>

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1 Privileged.
2 BY MR. HADDAD:
3 **Q. Do any?**
4 MR. BLACK: Objection.
5 Privileged.
6 BY MR. HADDAD:
7 **Q. Is the Plan Support Agreement**
8 **binding or illusory?**
9 MR. BLACK: Objection.
10 Privileged.
11 BY MR. HADDAD:
12 **Q. Do you consider the Plan**
13 **Support Agreement to be binding?**
14 MR. BLACK: Objection.
15 Privileged.
16 BY MR. HADDAD:
17 **Q. When you signed your name to**
18 **the Plan Support Agreement, sir, what were**
19 **you intending to convey?**
20 A. I was intending --
21 MR. BLACK: I think that's
22 privileged, too. I mean he signed it, so
23 what he intended as a lawyer is privileged
24 so --
25 BY MR. HADDAD:

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1 **Q. Are you aware that the debtor's**
2 **chief legal officer, Mr. Kim, testified**
3 **yesterday that anyone who wishes to withdraw**
4 **from the Plan Support Agreement may do so?**
5 A. I was not on Mr. Kim's
6 deposition, nor do I really know what he
7 said.
8 MR. TORBORG: This is
9 Mr. Torborg for the debtors. I'm going to
10 object to that last question as
11 mischaracterizing Mr. Kim's testimony. Thank
12 you.
13 MR. HADDAD: The transcript
14 says what it says.
15 MR. TORBORG: It does.
16 BY MR. HADDAD:
17 **Q. Sir, is there -- do you have**
18 **any agreement with anyone to pay you legal**
19 **fees in connection with the bankruptcy case?**
20 A. No.
21 **Q. Sir, did you see the debtor's**
22 **8-K filed on April 4, 2023?**
23 A. Can you repeat the question,
24 please?
25 **Q. Have you seen the debtor's Form**

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1 **8-K filed with the Securities and Exchange**
2 **Commission on April 4, 2023?**
3 A. I briefly looked at that.
4 **Q. Did you read the sentence that**
5 **said, quote, LTL also has secured commitments**
6 **from over 60,000 current claimants to support**
7 **a global resolution on these terms, unquote?**
8 A. Yes.
9 **Q. Do your 6,000 current claimants**
10 **support the global resolution on these terms?**
11 MR. BLACK: Objection.
12 Privileged.
13 BY MR. HADDAD:
14 **Q. Does LTL have secured**
15 **commitments from over 60,000 current**
16 **claimants to support a global resolution?**
17 A. My understanding is they have
18 commitments from attorneys representing those
19 clients, if not more, and I believe there are
20 probably more with attorneys that are going
21 to recommend that their clients support the
22 agreement.
23 **Q. You would agree with me that**
24 **there's a difference between a recommendation**
25 **to support and a commitment to support by the**

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1 **claimant itself, correct, sir?**
2 A. Semantics, but, yes.
3 **Q. Semantics? I misheard -- I'm**
4 **not sure I heard you.**
5 A. There is a difference.
6 MR. HADDAD: All right. Thank
7 you. That's all I've got for now.
8 BY MR. SATTERLEY:
9 **Q. Good morning, sir. This is Joe**
10 **Satterley. Do you need to take a break**
11 **before we begin? I think I'm going to be the**
12 **second attorney to go.**
13 A. No. I'm good, Mr. Satterley.
14 I appreciate it.
15 **Q. Okay. Can you hear me okay?**
16 A. I can.
17 **Q. Okay. I represent Mr. Valadez**
18 **and many other mesothelioma victims.**
19 **Have you had a chance to log in**
20 **and watch any of the hearings with Judge**
21 **Kaplan?**
22 A. I was on the hearing on
23 Wednesday -- Tuesday, Tuesday.
24 **Q. The long hearing, ten o'clock**
25 **in the morning till about 4:30, were you on**